

Report to the Cabinet

Report reference: C-046-2008/09.
Date of meeting: 6 October 2008.



Portfolio: Leisure and Young People.

Subject: North Weald Airfield – Fire Cover.

Responsible Officer: John Gilbert (01992–564062).

Democratic Services Officer: Gary Woodhall (01992–564470).

Recommendations/Decisions Required:

- (1) That the minimum level of fire and rescue cover at North Weald Airfield be as set out in Chapter 8 and Appendix B to the Civil Aviation Authority guidance note CAP 428;**
- (2) That, subject to recommendation (1) a replacement fire and rescue vehicle be procured at a cost of £10,000 and capital provision in 2008/09 be made accordingly;**
- (3) That training of the operations staff at North Weald Airfield be undertaken by the North Weald Fire and Rescue Service at a cost of £2,000 met from within existing revenue budgets; and**
- (4) That a DDF growth bid in the sum of £20,000 be made for 2009/10 to facilitate the appointment of an aviation consultant to provide the Council with a full risk assessment of all airfield activities and to advise the Council on the appropriate level of fire and rescue service.**

Executive Summary:

North Weald Airfield is an unlicensed aerodrome and as such its operation is covered by the Civil Aviation Authority (CAA) guidance contained within CAP (Civil Aviation Publication) 428 "Safety Standards at Unlicensed Aerodromes." The issue of the level of fire cover provided at the airfield has been the subject of several reports over the years with the main issue being the interpretation of CAP 428 which states in Chapter 8 (Emergency Services):

"The scale of emergency service that should be provided at an unlicensed aerodrome depends on the amount of flying and types of aircraft expected to use the aerodrome. At a farm strip this may of necessity be limited to a fire extinguisher for self help use. At larger unlicensed aerodromes, greater provision would be prudent"

CAP 428 provides guidance on the bare minimum requirements for an unlicensed aerodrome but also refers to the minimum standards required for a licensed aerodrome recommending that this be used as a basis for standards at an unlicensed facility. The current use of the airfield would support that this standard is the minimum that should be provided.

To achieve this will require the provision of a replacement airfield vehicle equipped to carry the relevant fire fighting and rescue equipment. In addition, the existing operational staff should be provided with additional training

Due to the number and type of aircraft that use the airfield consideration should be given to whether the basic fire and rescue services should be further enhanced. Although the CAA offers support in this regard, in reality they are unable to do so and it is therefore suggested

that a specialist aviation advisor be appointed to make recommendations to the Council in respect of the appropriate level of fire and rescue services.

This is a key decision.

Reasons for Proposed Decision:

The airfield must comply with the minimum standard for a unlicensed airfield in accordance with the guidance contained within CAP 428. Whilst the airfield is well served by Essex Fire and Rescue Service, with the full time Harlow Fire Station situated relatively close by and the retained crews at the Epping and Ongar Fire Stations, the increased use of the airfield at weekends, alongside the wide range of aircraft types in use, suggests the need for a further review to be undertaken.

The Council as owner of the airfield must be cognisant of the law relating to health & safety at work and corporate manslaughter. Should an incident arise at the airfield the Council must be in a position to satisfy any subsequent inquiry that it had in place fire and rescue services appropriate to the use of the airfield and which met relevant guidance.

Other Options for Action:

- (a) Take no action to strengthen current fire and rescue services which may not meet the CAA requirements for an unlicensed airfield. This cannot be recommended
- (b) Do not undertake a further review, based upon current airfield usage which may not meet CAP guidance in respect of providing suitable facilities based upon the type and nature of aircraft operating at the airfield.

Report:

Background

1. Consideration of the appropriate level of fire cover provided on the airfield has been the subject of reports to the previous Member Working Group. The issue has not been satisfactorily resolved due to the need to correctly interpret the CAA Guidance (CAP 428) and difficulties around additional resources.

2. The general principles underpinning health and safety and corporate manslaughter legislation require that the provision of fire and rescue services should be considered within the overall risk assessment for aviation activities at North Weald Airfield. As North Weald remains an unlicensed aerodrome the relevant Civil Aviation Publication is CAP 428 "Safety Standards at Unlicensed Aerodromes". Chapter 8, "Emergency Services", provides advice as to the level of emergency service that should be provided at an unlicensed aerodrome:

"The scale of emergency service that should be provided at an unlicensed aerodrome depends on the amount of flying and types of aircraft expected to use the aerodrome. At a farm strip this may of necessity be limited to a fire extinguisher for self help use. At larger unlicensed aerodrome greater provision would be prudent"

Chapter 8 also makes reference to "Appendix B" which sets out the basic requirements for a licensed aerodrome operating a fleet of small single piston engine aircraft, such as the Cessna 152/172 and Piper PA28 type of aircraft. These requirements are attached as an appendix to this report.

3. Given the current use of the airfield the equipment set out in CAP 428 Appendix B is considered to be the minimum which should be provided at the airfield. Most of this equipment is currently available but the vehicle presently allocated to carry the foam extinguisher is no longer usable and therefore a replacement is required. To meet the requirements of CAP 428 the vehicle is required to have cross-country capability and be

capable of carrying the equipment and personnel specified either on the vehicle or on a suitable trailer. A suitable used vehicle is estimated to cost £10,000

4. In addition to the provision of suitable fire and rescue equipment, there must be a staffing resource available to respond to an incident. The present staffing resource at the airfield is able to provide the response, alongside other control tower and security responsibilities, but there will be a need for additional training to be provided. This training could be provided in two ways:

Option 1 - Source an external training provider.

Training providers for the low category fire fighter training are scarce. However, an external training provider, Firex Training Services, has been identified and quoted a 2-day programme at £850 for 10 members of staff plus disbursements

Option 2 - North Weald Volunteer Fire & Rescue Service (NWFRS)

NWFRS has two members of their team who are qualified to provide the training required. . NWFRS have provided training for the Council before. The trainers, although employed at the airfield, would carry out this function outside their normal hours and the Council would pay NWFRS directly. The cost of this approach is £2,000 but the training is considered to be a high quality albeit more expensive than option 1.

Under both options the training costs can be met from within existing budgets.

5. This report sets out the requirements for an unlicensed airfield. North Weald Airfield (NWA) can be extremely busy with up to 150 aircraft movements on a good flying day. NWA is also rather unique in that it has a 1,920 metre concrete / tarmac main runway. Therefore, it is able to accommodate a much greater mix of aircraft than other airfields. For example, NWA based aircraft include 'war birds' such as the Spitfire, P51- Mustang and P40- Kittyhawk. Jet powered aircraft include the Jet Provost and Folland Gnat and larger twin prop aircraft include the Beech King Air and Rockwell Turbo Commander. It is therefore fair to say that there is a diversity of aircraft at North Weald Airfield not present at the vast majority of similar unlicensed airfields in the UK.

6. The CAA considers that factors such as above should be taken into account when the owner is reviewing the guidance in CAP 428. The Council, if it agrees to the provision of the recommended fire and rescue service will have met the basic requirements of CAP 428. However, given the wide range of aircraft using the airfield it is recommended that the Council engages an expert Aviation Consultant to undertake a formal risk assessment of all activities (both airside and non airside) at the airfield and advise it on the most appropriate level of fire and rescue services. This will provide reassurance to the Council that as the airfield owner it is meeting its legal responsibilities and in the event of an incident at the airfield be in a position to satisfy any subsequent inquiry that it had in place fire and rescue services appropriate to the use of the airfield and which met relevant guidance.

Resource Implications:

The following sets out the resourcing implications of the recommendations:

- (1) staffing resources – nil, since sufficient staff at NWA to cover the basic requirements
- (2) revenue resources - £2,000 for additional training containable within existing revenue budgets, and £20,000 DDF for 2009/10 to appoint an aviation consultant; and
- (3) £10,000 capital in 2008/09 to procure a vehicle to provide the minimum standards of fire cover under CAP 428

Legal and Governance Implications:

This report recommends the action to be taken for the Council to meet its legal

responsibilities as owner/operator of an unlicensed airfield in accordance with:

- (a) CAA guidance on unlicensed aerodromes taking into account the type of aeroplanes movements with regard to CAP 428;
- (b) the Health & Safety at Work etc Act 1974; and
- (c) the Corporate Manslaughter and Homicide Act 2007

Safer, Cleaner and Greener Implications:

There are no direct implications arising from the recommendations.

Consultation Undertaken:

Reference to CAA Guidance and discussions with the North Weald Fire & Rescue Services.

Background Papers:

CAA publications CAP 428 "Safety Standard at Unlicensed airfields."

Impact Assessments:

The responsibility for the safety of aircraft at NWA is outlined in the CAA guidance document CAP 428. To ignore the finding and/or not to resource the airfield fire cover to the required level could result in an investigation by the CAA and/or other regulatory authorities if there is an aviation accident and it is not dealt with appropriately. Fire cover at North Weald Airfield is highlighted in the Service Business Plan as critical and is above the Directorate's risk tolerance line.

There are no equality or diversity issues arising from the recommendations.